



Subdividing Land in Clay County

This brochure provides a basic outline for rezoning and subdividing property in rural Clay County into residential building lots. Details not included here are available through the Planning and Zoning Department or the County web site.

Step 1: Meet with County Officials

When considering developing property in the unincorporated areas of Clay County, you will need to meet with an official of the County's Planning and Zoning Department prior to filing an application. This meeting gives staff an opportunity to offer the applicant insight into the process and to address possible regulations, requirements and Comprehensive Plan compliance issues to avoid problems later.

Step 2: Surveyor Create a Preliminary Plat

This is an initial site plan illustrating how the lots and roads will be designed. The applicant is responsible to select a surveyor or land planner to create this plan of how the applicant wants the subdivision to be developed. Using a surveyor familiar with the 2011 Clay County Land Development Code will help insure a quality application. Regardless, any surveyor hired must be registered to operate in Missouri.

Step 3: Contact Outside Agencies (Water District, County Health Department, and Clay County Highway Department or MoDOT if applicable)

The applicant is responsible for contacting:

1. The appropriate water district to supply verification of water availability;
2. The County Health Department for on-site sewer approval. [For subdivisions containing 8 or more lots, Missouri Department of Natural Resources (DNR) approval is also necessary];
3. If the property abuts a county road, the Clay County Highway Department requires one copy of the plat and payment of a Plans Review Fee be delivered prior to submitting a formal application;

-- OR --

4. If the property abuts a state highway, the Missouri Department of Transportation (MoDOT) will need to be contacted for driveway location approval.

Step 4: Submit Rezoning and/or Preliminary Plat Applications to Planning and Zoning Department

Application submissions are due on the first Monday of each month, for hearing at the following month's Planning and Zoning Commission (PZC) meeting.

For example, to be considered by the PZC at its March meeting, you must submit all of your required material by the first Monday in February.

At a minimum, the applicant is required to submit the following application documents:

- ☐ Completed application form(s);
- ☐ Appropriate application fees paid in full;
- ☐ 20 paper copies of the preliminary plat;
- ☐ List of adjoining property owners within 1000 feet (paper and electronic version);
- ☐ Letter from the appropriate Public Water Supply District (PWSD) agreeing to provide water for all proposed lots in the subdivision;
- ☐ Approval for septic systems from the Clay County Health Department (if applicable);
- ☐ Driveway or street access approval from the appropriate road authority.

Failure to submit all of the required items at the time of application may result in rejection of the application and the return of all submitted materials to the applicant.

Step 5: Attend the County Planning & Zoning Commission (PZC) Meeting

All applications for Rezoning, Plats, Conditional Use Permits (CUP), and other related matters are first considered by the PZC. This citizen committee is appointed by the County Commission and serves as an advisory board, making recommendations to the County Commission for its consideration.

All matters are discussed before the PZC in public meetings. The applicant or authorized representative will be expected to make a brief presentation and answer any questions the board may have. At the close of the discussions, the PZC will take a formal vote to establish its recommendation to the County Commission.

Step 6: Consideration by the County Commission

If rezoning and/or preliminary plat applications were considered above, staff will forward the PZC recommendation to the County Commission for a final decision (normally within two weeks).

The Commission will discuss the applications at a minimum of two (2) open meetings. The Commission may allow further discussion of an application during this meeting, but such discussion is usually limited. The County Commission is an elected body whose decisions on plats, rezoning, and related matters are final.

An approved Preliminary Plat becomes null and void if a Final Plat is not submitted within eighteen (18) months of the Preliminary Plat approval by the County Commission. Any re-application for an expired plat will be treated as new and will be subject to all applicable regulations and fees.

Step 7: Final Plat Application

If the Rezoning and/or Preliminary Plats are approved, the applicant and the surveyor may begin work on the Final Plat. Unlike the Preliminary Plat, a Final Plat is a document that accurately and legally describes the subdivision and is the mechanism which insures all dedications and easements.

At a minimum, the applicant is required to submit the following application documents:

- ☐ Completed application form(s);
- ☐ 20 paper copies of the Final Plat;
- ☐ Adjoiner list (paper and electronic);
- ☐ Final Plat consistent with the approved conditions of the Preliminary Plat.

Step 8: Planning and Zoning Commission (PZC) Review and County Commission Consideration

The process for public hearings on Final Plats will be as previously stated.

Step 9: Recording the Final Plat

If the County Commission approves the Final Plat, various County office holders and officials must sign three (3) recording copies of the document prior to actual recording. Other pertinent documents such as Road Impact Fees (RIF) or development agreements must also be drafted and signed prior to the recording of all the documents, including the Final Plat.

Once all of these requirements have been met, staff will arrange to meet the applicant at the County Recorder of Deeds office to record the Final Plat and any other pertinent documents. *The applicant is responsible for payment of all recording fees.*

An approved Final Plat becomes null and void if it is not recorded within one (1) year of approval by the County Commission. Any re-application for an expired plat will be treated as new and will be subject to all applicable regulations and fees.

Important Points to Remember

1. Any parcel of land under 40 acres in size must go through the County's subdivision process.
2. Development of any parcel is "site specific" and must be consistent with the Clay County Comprehensive Plan.
3. Although staff is available to answer applicant questions and to provide insight into the process, they can neither foresee nor guarantee the ultimate approval of any application.
4. Expect a minimum of 3 to 4 months time to elapse between a Preliminary Plat application filing date and the date of ultimate approval or denial of a Final Plat by the County Commission.

5. The subdivision process is applicant driven. It is the responsibility of the developer to submit all required materials within the appropriate deadline periods.
6. It is the applicant's responsibility to contact and obtain approval letters from the appropriate outside agencies prior to submitting an application (see Step 3).
7. Road Impact Fees (RIF) are required for new lots created as a result of a requested subdivision that abut either County OR State roadways.
8. Applicants are strongly encouraged to contact neighboring property owners and discuss your planned action with them prior to submitting an application.
9. Building permits will not be issued until the Final Plat has been recorded.

Please contact us below to arrange a meeting with County Planning & Zoning Department staff, or for additional information.

Telephone: (816) 407-3380
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Email: pandz@claycountymo.gov
Internet: www.claycountymo.gov/planning

Clay County Highway Dept.	816.407.3300
Clay County Health Dept.	816.595.4350
MO Dept. of Transportation mike.sanders@modot.mo.gov	816.607.2187
MO Dept. of Natural Resources	816.622.7000
Floodplain Manager	816.407.3380
Platte-Clay Electric Cooperative	816.628.3121
Natural Resources Conservation Service	816.781.5580